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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE PIPE TRADES DISTRICT COUNCIL NO. 36 HEALTH AND WELFARE TRUST FUND; BOARD OF TRUSTEES OF THE PIPE TRADES DISTRICT COUNCIL NO. 36 PENSION TRUST FUND; BOARD OF TRUSTEES OF THE PIPE TRADES DISTRICT COUNCIL NO. 36 APPRENTICE TRAINING TRUST FUND; BOARD OF TRUSTEES OF THE CENTRAL CALIFORNIA PIPE TRADES INDUSTRY LABOR-MANAGEMENT COOPERATION COMMITTEE TRUST FUND,	)	Case No. 05 0600 SI
	)	
	)	<b>JOINT CASE MANAGEMENT</b>
	)	<b>CONFERENCE STATEMENT AND</b>
	)	<b>ORDER</b>
	)	
	)	<b>Date: October 6, 2006</b>
	)	<b>Time: 2 P.M.</b>
	)	<b>Place: Courtroom No. 10</b>
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
HARRIS PLUMBING & MECHANICAL, INC., a California Corporation,	)	
	)	
Defendant.	)	

Pursuant to this Court's order in the above-entitled action, the undersigned hereby certifies as follows:

A Stipulation for Entry of Judgment was filed in this case on May 17, 2005. The Court then administratively closed the case on May 20, 2005, but has scheduled an October 6, 2006 Case Management

1 Conference.

2       The defendant has paid all installments due to date under the  
3 Stipulation for Entry of Judgment and has otherwise complied with  
4 the terms of the Stipulation. Unfortunately, the Madera High  
5 School job and the Indian Palace Casino job referenced in the  
6 Stipulation have not yet been completed as originally anticipated.  
7 Plaintiffs have therefore prepared the attached amortization  
8 schedule which provides for installments due from October 20, 2006.  
9 The anticipated retention on the Madera High School job, once  
10 released, should result in plaintiffs' being paid in full. This  
11 should occur by the end of the year. Thus, the parties hope that  
12 the remaining debt owed to the plaintiffs under the Stipulation  
13 will be paid off by the end of 2006 unless the completion of the  
14 aforementioned jobs is delayed further.

15       Based on the foregoing, the parties request that the October  
16 6, 2006 Case Management Conference be continued until sometime on  
17 or after February 2007.

18                               Respectfully submitted,

19 Dated: September 28, 2006       McCARTHY, JOHNSON & MILLER  
20   LAW CORPORATION


21   By:           /s/  Lori A. Nord            
22   LORI A. NORD  
23   Attorneys for Plaintiffs

24   CASWELL BELL & HILLISON

25       Dated: September 28, 2006       By:           /s/  David A. Roberts            
26   DAVID A. ROBERTS  
27   Attorneys for Defendant

1 IT IS HEREBY ORDERED THAT the October 6, 2006 Case Management  
2 Conference be taken off calendar and <sup>vacated</sup> continued until \_\_\_\_\_  
3 \_\_\_\_\_, 2007 at 2:00 p.m.

4  
5 Dated: \_\_\_\_\_, 2006 By:

  
\_\_\_\_\_  
SUSAN ILLSTON  
U.S. DISTRICT JUDGE

**DECLARATION OF SERVICE BY MAIL**

I am a citizen of the United States and a resident of the State of California. I am over the age of eighteen years and not a party to the within matter. My business address is 595 Market Street, Suite 2200, San Francisco, California 94105.

I am familiar with the practice of McCarthy, Johnson & Miller Law Corporation for collection and processing of correspondence for mailing with the United States Postal Service. It is the practice that correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

I served the following document(s) by placing a true copy of each such document for collection and mailing, in the course of ordinary business practice, with other correspondence of McCarthy, Johnson & Miller Law Corporation, located at 595 Market Street, Suite 2200, San Francisco, California 94105, on September 28, 2006, enclosed in a sealed envelope with postage fully prepaid, addressed in the manner set forth immediately below this declaration.

Document(s) served:

**JOINT CASE MANAGEMENT CONFERENCE STATEMENT AND ORDER**

I declare under penalty of perjury that the foregoing is true and correct.

Dated at San Francisco, California, on September 28, 2006.

By: \_\_\_\_\_  
PATRICIA BRAYEN

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